

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

CRIMINAL COMPLAINT

CASE NUMBER:

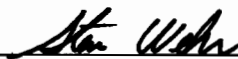
LATOYA N. DENTON,
TIFFANY S. BROWN,
DAVID R. BENSON, and
ERIC C. JAMES.

09-M-0284

I, Steve Wehr, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Between at least October 2009 and continuing until October 5, 2009, in the State and Eastern District of Wisconsin, and elsewhere, the above-named individuals did knowingly and intentionally conspire to possess with the intent to distribute and distribute marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, §§ 846, 841(a)(1), and 841(b)(1)(B) and Title 18, United States Code, § 2 .

I further state that I am a Special Agent assigned to the Drug Enforcement Administration, and that this complaint is based on the facts contained in the attached affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes



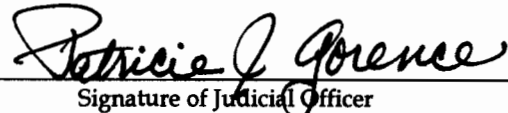
Signature of Complainant

Sworn to before me and subscribed in my presence,

October 5TH, 2009
Date

at Milwaukee, Wisconsin
City and State

Patricia J. Gorence, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I, Steve Wehr, being first duly sworn on oath, on information and belief state:

1. I am a Special Agent for the United States Drug Enforcement Administration, and have been so employed for 6 years. I base this complaint on my own investigation, as well as other information received from law enforcement, all of which I believe to be truthful and reliable.

2. On or about September 30, 2009, West Allis law enforcement officer Troy Maas received information from an anonymous source of information (hereinafter "SOI") who indicated that a friend of the SOI named Tiffany "LNU" would be driving from Milwaukee to Phoenix, AZ to pick up 100 to 200 pounds of marijuana. The SOI indicated that Eric "LNU" would be following Tiffany from Arizona back to Milwaukee with the load of marijuana. The SOI indicated that Tiffany "LNU" would be traveling with a subject named LaToya "LNU".

3. Based on information provided by the SOI, Officer Maas was able to identify the rental car company Tiffany "LNU" intended to use. On or about October 1, 2009, Officer Maas contacted Enterprise Rental Cars and confirmed that LaToya N. Denton rented a car at 110th and National Avenue in Milwaukee, WI. According to Enterprise, DENTON planned to pick up the vehicle the same day. Officers observed DENTON pick up a Toyota Camry with Wisconsin Plate Number 290-NHB that same day.

4. According to surveillance, on October 1, 2009, the Toyota Camry with Wisconsin Plate Number 290-NHB that DENTON rented traveled from Milwaukee Wisconsin to Phoenix, AZ, arriving on or about October 2, 2009. On or about October 3, 2009, the Camry departed Phoenix AZ, traveling northeast towards Wisconsin.

5. On or about October 4, 2009, at the intersection of Highway 50 with I-43 in Walworth County, WI, the Toyota Camry with Wisconsin License Plate Number 290-NHB was observed traveling northbound towards Milwaukee, WI. A blue Ford F-150 pick up was observed following directly behind the Toyota Camry with a distance of no more than one car length between the cars. The Ford F-150 was observed traveling behind the Camry for at least one half hour as the vehicles traveled on I-43.

6. Shortly thereafter, in Milwaukee County, Wisconsin State Troopers stopped the same Ford F-150 on I-43 near Beloit for speeding. The Camry was stopped a short time thereafter. The occupants of the F-150 were ordered out and identified as DAVID R. BENSON, ERIC C. JAMES and J.J. ERIC JAMES was identified as the driver. A canine unit, which was on scene for the stop, alerted to the front right wheel well. A subsequent search of the vehicle did not uncover any controlled substances. A cell phone, however, was recovered from the driver's seat which JAMES had occupied.

7. Approximately two miles away from the Ford F-150, Wisconsin State Troopers stopped the Toyota Camry on I-43. The occupants of the Camry were identified as LaToya Denton and Tiffany Brown. DENTON and BROWN were ordered out of the car and both

complied with the request. A canine unit on the scene alerted to the trunk. Wisconsin State Troopers and I then went to the trunk area and opened the trunk without force. An odor of marijuana was immediately detected. The trunk was packed with five pieces of luggage containing a total of 8 large blocks of a compressed green leafy substance.

8. The green leafy substance was field tested and the result was positive for marijuana with a total weight of 195 pounds or approximately 88 kilograms of marijuana with packaging. Further, based on my training and experience, the amount of marijuana recovered was consistent with distribution.

9. After the marijuana was recovered, DENTON and BROWN were placed under arrest. After being advised of their *Miranda* rights, both provided statements. BROWN stated that ERIC JAMES facilitated the trip to Phoenix to pick up the marijuana. BROWN stated that she drove from Milwaukee to Phoenix on Thursday October 1, 2009, and arrived in Phoenix late Friday evening with DENTON. On Saturday morning, October 2, 2009, DENTON and BROWN met with JAMES and BENSON at a Wal Mart in Phoenix, AZ. BENSON assisted JAMES with making plans for the trip. JAMES then took the Camry for a short period of time to an undisclosed location. Based on previous deals with JAMES, BROWN understood that JAMES was obtaining the marijuana for transport. A short time later, JAMES returned to the WalMart parking lot with the vehicle. DENTON and BROWN entered the Camry and began the return trip to Milwaukee, WI. JAMES and BENSON followed the Camry in a Ford F-150. BROWN stated as they approached Milwaukee, WI, JAMES informed her that they would be traveling to 60th and Bradley in Milwaukee, WI. JAMES was having the marijuana transported to Milwaukee to exchange with an unknown customer who would then provide the funds for the marijuana.

10. BROWN stated that she made 3 previous trips to Arizona for JAMES to transport marijuana back to Milwaukee. BROWN's expenses were paid by JAMES for the trip, and she was typically paid with a quantity of marijuana for her services.

11. DENTON provided a post arrest statement consistent with BROWN. DENTON, however, indicated that this was her first trip to Phoenix with BROWN.

12. A check of the GPS in the Camry revealed 60th and Bradley in Milwaukee, WI as a destination. Further, a check of the prepaid phone belonging to BROWN revealed that between October 2, 2009 and October 4, 2009, 6 calls were made to a phone number BROWN identified as belonging to JAMES. The phone recovered from the driver's seat of the FORD F-150 matched the number BROWN stated belonged to JAMES.